

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

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| PHILLIP LAWRENCE, | : | |
| Petitioner, | : | |
| v. | : | Case No. 3:14-cv-459 |
| WARDEN, LONDON | : | JUDGE WALTER H. RICE |
| CORRECTIONAL INSTITUTION, | : | |
| Respondent. | : | |

DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATIONS (DOC. #3);
DISMISSING PETITION FOR WRIT OF HABEAS CORPUS (DOC. #2)
WITH PREJUDICE; DENYING CERTIFICATE OF APPEALABILITY AND
LEAVE TO APPEAL *IN FORMA PAUPERIS*; JUDGMENT TO ENTER IN
FAVOR OF RESPONDENT AND AGAINST PETITIONER; TERMINATION
ENTRY

Based on the reasoning and citations of authority set forth by United States Magistrate Judge Michael R. Merz, in his December 22, 2014, Report and Recommendations, as well as upon a thorough *de novo* review of this Court's file and the applicable law, this Court ADOPTS said judicial filing, Doc. #3, in its entirety. Although Petitioner was notified of his right to file objections to the Report and Recommendations, and of the consequences for failing to do so, no objections have been filed within the time allotted.

The Petition for a Writ of Habeas Corpus (Doc. #2) is DISMISSED WITH PREJUDICE.

Given that Petitioner has not made a substantial showing of the denial of a constitutional right and, further, that the Court's decision herein would not be debatable among reasonable jurists, and because any appeal from this Court's decision would be objectively frivolous, Petitioner is denied a certificate of appealability, and is denied leave to appeal *in forma pauperis*.

Judgment will be entered in favor of Respondent and against Petitioner.

The captioned case is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

Date: January 15, 2015



WALTER H. RICE
UNITED STATES DISTRICT JUDGE